

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

IN THE MATTER OF THE SEARCH OF

Case No. 3:22-MJ-00274-MMS

USPS Priority Mail Express Parcel EI
420360128 US addressed to "Mom S. 1733,
N. Nina Cir, Apt#1, Wasilla, AK 99654"
located at 341 W Tudor Rd #208
Anchorage AK 99503



Jun 13 2022

**AFFIDAVIT IN SUPPORT OF AN APPLICATION UNDER RULE 41
FOR A WARRANT TO SEARCH AND SEIZE**

I, Postal Inspector Alex L. Brown, being first duly sworn, hereby
depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. In this warrant application, I seek authority to search USPS Priority Mail Express Parcel EI 420360128 US addressed to "Mom S. 1733, N. Nina Cir, Apt#1, Wasilla, AK 99654" from "2902 Nieman Blvd, San Jose, CA, 95148" (hereinafter referred to as "The SUBJECT PARCEL also referred to Exhibit 1") for controlled substances in violation of Title 21 U.S.C. Sections 841(a)(1) and 843(b), and Title 18, United States Code, Section 1716.
2. I am a U.S. Postal Inspector employed by the Seattle Division of the U.S. Postal Inspection Service, specifically in the Anchorage Domicile. I am a sworn federal law enforcement officer empowered to investigate criminal activity involving or relating to the United States Postal Service and/or United States Mail. As part of my duties, I investigate incidents where



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the United States mail system is used for the purpose of transporting non-mailable matter, including controlled substances in violation of Title 21, United States Code, Sections 841(a) (1) Possession with Intent to Distribute a Controlled Substance, and Title 21, United States Code, Section 843(b), Use of a Communication Facility to Facilitate the Commission of a Federal Drug Felony, and Title 18, United States Code, Section 1716, Injurious articles as nonmailable.

3. I have been a felony level Criminal Investigator since 2011 (2011-2013 with the US Marine Corps Criminal Investigation Division (CID), 2013-2015 with the Naval Criminal Investigative Service, 2016 to 2021 with the US Army CID, and 2021-Present with the USPIS.) Additionally, prior to being a felony level Criminal Investigator, I served as a US Marine Corps Military Policeman (2007-2011). I have received extensive training in criminal investigations from a myriad of sources including; but not limited to, the Department of Justice, the Department of Defense, and the states of Alaska, North Carolina, Texas, and New Jersey. I have participated in numerous investigations involving scheduled controlled substances, the use of narcotics detection K-9s, and the collection of dangerous controlled substances as evidence.
4. The following information is based on my own knowledge, information obtained from other law enforcement agents and officers, and from specific sources as set forth herein. This affidavit is intended to show only that



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there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

BACKGROUND INFORMATION ABOUT SUBJECT PARCELS

1. Based on my experience, training and discussions with other law enforcement officers experienced in drug investigations, I know that certain indicators exist when persons use the United States Mails to ship controlled substances from one location to another. Indicators for parcels that contain controlled substances include, but are not limited to the following:
 - a. It is a common practice for the shippers of the controlled substances to use Priority Mail Express because the drugs arrive within two to three days, but this may vary in Alaska due to geographical location and weather. This service is also commonly used so the parcel can be tracked.
 - b. Shippers of controlled substances will utilize cash as payment instead of credit or debit cards. These payment practices are used by narcotics traffickers to hide their true identity and make it difficult for Law Enforcement to identify them.
 - c. These parcels in many instances contain a fictitious return address, incomplete return address, no return address, the return address is same as the addressee address, or the return address does not match the place where the parcel was mailed from. These packages



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are also sometimes addressed to or from a commercial mail receiving agency (i.e., UPS Store). These address practices are used by narcotics traffickers to hide the true identity of the person(s) shipping and/or receiving the controlled substances from law enforcement officials.

- d. In order to conceal the distinctive smell of controlled substances from narcotic detector dogs, these packages tend to be wrapped excessively in bubble-pack and wrapping plastic and are sometimes sealed with the use of tape around all the seams. Also, the parcels often contain other parcels which are carefully sealed to prevent the escape of odors. Sometimes perfumes, coffee, dryer sheets, tobacco or other smelling substances are used to mask the odor of the controlled substances being shipped.
- e. When a shipper mails controlled substances from a particular area/state, the proceeds from the sale of the controlled substances may be returned to the shipper. Based on experience and discussions, there are known source states where narcotics are mailed from, including California, Oregon, Washington, Arizona, Texas, Puerto Rico and Nevada.
- f. If cash is obtained through illegitimate means, then the cash becomes nonmailable matter. This nonmailable matter is typically sent to known source states.



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- g. I know from training and discussions with other law enforcement officers that the following controlled substances are likely to be found during parcel interdictions: marijuana, methamphetamine, cocaine, LSD, psilocybin mushrooms, heroin, opium, MDMA, and proceeds from the sale of narcotics.

FEDERAL STATUTES

2. Based on my investigation in this case, I submit that there is probable cause to search USPS Priority Mail Express Parcel EI 420360128 US for evidence, fruits, and instrumentalities of violations of the following federal statutes:
- a. Title 21, United States Code, Section 841 generally prohibits the “knowing or intentional manufacture, distribution, dispensing, or possession with intent to manufacture, distribute, or dispense, a controlled substance[.]”
 - b. Title 21, United States Code, Section 843(b) criminalizes the knowing or intentional use of any communication facility in committing or in causing to facilitate the commission of any act or acts constituting a felony under any provision of this subchapter or subchapter II of this chapter.
 - c. Title 18, United States Code, Section 1716 prohibits the mailing of nonmailable matter, including, but not limited to, poison, and “all other natural or artificial articles, compositions, or materials which



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may kill or injure another, or injure the mails or other property,
whether or not sealed as first class matter[.]”

STATEMENT OF PROBABLE CAUSE

3. On June 9, 2022, United States Postal Inspector (USPI) Alex L. Brown observed information from USPS databases which revealed the SUBJECT PARCEL was sent via Priority Mail Express, from a known source State of controlled substances and that the SUBJECT PARCEL was paid for in cash.
4. On June 13, 2022, at approximately 0900, USPI Brown observed the parcel at the USPS Office located at 4141 Post Mark Dr, Anchorage, AK, and determined the SUBJECT PARCEL was suspicious for the following reasons:
 - a. The SUBJECT PARCEL was mailed from San Jose to Anchorage, AK via Priority Mail Express.
 - b. The SUBJECT PARCEL cost \$86.05 in postage which was paid for with cash.
 - c. The return address appeared to be an incomplete address did not list a name.
 - d. The Recipient name was listed simply as “Mom S.”
5. On 3 Feb 22, USPI Brown collected the SUBJECT PARCEL and brought it to the USPIS office in Anchorage, AK, for further investigation.

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6. The SUBJECT PARCEL contains indicators that in my training and experience are consistent with packages known to contain contraband.
- a. The SUBJECT PARCEL was sent from California, a known source state for controlled substances. California is a known narcotics source state from which narcotics are shipped out and proceeds of narcotics sales are sent to.
 - b. The postage for the parcel amounted to \$86.05, which was paid for in cash.
 - c. USPI Brown conducted a search of "CLEAR" for the recipient address of 1733 N. Nina Cir, Apt#1, Wasilla, AK. *"CLEAR" is a combination of over 33 billion records from over 8,800 different data sources which are updated daily, weekly, monthly, and annually, depending on the particular data source.* The search revealed the address to be the residence of Allen and Hallie Swartzbacker. In discussions with SGT Jared Noll, Drug Enforcement Unit, Alaska State Troopers, his office had received anonymous tips pertaining to Hallie Swartzbacker possibly selling drugs. SGT Noll also reported there was a recent police and medical call-out to the apartment next door (Apt#2) to Allen and Hallie Swartzbacker due to a drug overdose at the location.
 - d. Additional queries of CLEAR and other open-source databases revealed the sender address of 2902 Nieman Blvd, San Jose, CA, to

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be an apartment complex; however, no apartment number was listed on the parcel. In the affiant's experience, drug traffickers will often utilize incomplete addresses when mailing narcotics in order to avoid detection by Law Enforcement.

- e. USPI Brown queried additional USPS business records for the recipient address of 1733 N. Nina Cir, Apt #1, Wasilla, AK which revealed eleven (11) other USPS Priority Express Mail parcels sent to that address from San Jose, CA since February 9, 2022. All of the 11 parcels weighed several pounds, with postage ranging between \$56.00 and 93.50, all of which were paid for in cash.
 - f. USPS business records included scanned images of the postal labels of many of the aforementioned 11 parcels. All of the parcels appeared to be addressed to different iterations of "Mom," "Mom S.," and "Mom Swartbacker" (an apparent misspelling of the last name for Hallie and Allen Swartzbacker).
7. The SUBJECT PARCEL was a white in color USPS Priority Mail Medium Flat Rate box. The SUBJECT PARCEL was affixed with a Priority Mail Express postage label. The SUBJECT PARCEL weighed 5 pounds and 1 ounce. A photograph of The SUBJECT PARCEL is included as **Exhibit 1**.
8. On June 13, 2022, Alaska Department of Corrections K-9 Officer Otto Mackenzie, and his K9 "Trapper", searched for the SUBJECT PARCEL at the Anchorage USPIS office. According to K-9 Officer Mackenzie,

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"Trapper" did not alert to the presence of narcotics in the SUBJECT PARCEL.

9. Based on the affiant's training and experience, and the training and experience of other law enforcement officers the affiant has spoken with, including K-9 officers, the affiant is aware that K-9s can alert to parcels that have been in the presence of drugs as well as be contaminated when in close proximity to other parcels that contain drugs. In addition, if a large quantity of drugs are located in the same or adjacent rooms that utilize the same air ventilation, it can contaminate both areas which will prevent the K-9 from "alerting" on any specific parcel, due to the K-9 not being able to locate the source of the drugs. The affiant is also aware that such parcels, when vacuum sealed or covered with masking agents, may not result in an "alert" from a K-9 and that those engaged in trafficking of narcotics and other non-mailable matter will sometimes use multiple layers of vacuum sealed packaging to avoid successful K-9 detection.
10. The SUBJECT PARCEL is currently in my custody at the Postal Inspection Service located at 341 West Tudor Rd #208 Anchorage Alaska 99503 and is in its original sealed and intact condition.

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CONCLUSION

11. Based on my training and experience as a Postal Inspector and the
aforementioned factors, I believe there is probable cause to believe that
The SUBJECT PARCEL, USPS Priority Mail Express Parcel EI
420360128 US addressed to "Mom S. 1733, N. Nina Cir, Apt#1, Wasilla,
AK 99654" from "2902 Nieman Blvd, San Jose, CA, 95148," contains
controlled substances and/or other evidence of violations of Title 21,
United States Code, Sections 841(a)(1) and 843(b), and Title 18, United
States Code, Section 1716.



Alex L. Brown
Postal Inspector, USPI
Anchorage Domicile

Subscribed and sworn pursuant to Fed. R.
Crim. P. 4.1 and 41(d)(3) on:



Digitally signed
by Matthew
Scoble
Date: 2022.06.13
15:29:50 -08'00'

United States Magistrate Judge
District of Alaska
Anchorage, Alaska